

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

RONALD J. SMITH,

Plaintiff,

v.

E.I. DUPONT de NEMOURS & COMPANY,  
a Delaware Corporation,

Defendant.

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C.A. No. 05-119 (SLR)

RESPONSE TO MOTION TO DISMISS

Plaintiff, Ronald J. Smith, by and through his undersigned counsel, hereby responds to the Motion to Dismiss filed by Defendant, E.I. DuPont de Nemours and Company, and requests this Court to deny Defendant's request. The grounds for this response are set forth in Plaintiff's Answering Brief in Support of his Response to Motion to Dismiss filed contemporaneously herewith.

BERKOWITZ, SCHAGIN & COOPER, P.A.

BY:

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DATED: 5/18/05

**CERTIFICATE OF SERVICE**

I, GERALD Z. BERKOWITZ, ESQUIRE, hereby certify that on this 19 day of May 2005, two copies of the foregoing Motion for Extension of Time for Filing Response to Motion to Dismiss and Answering Brief were served by hand deliver upon the following individual at the address indicated below:

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GERALD Z. BERKOWITZ, ESQUIRE